

REMARKS

Claims 1-14 are pending in the present application. Claim 1 has been amended and claims 2-14 have been added as a result of this response. Claims 1 and 8 are independent claims.

REJECTION UNDER 35 U.S.C. § 102(b) GLASSFORD REJECTION

Claim 1 has been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,733,113 to Glassford et al. This rejection, in so far as it pertains to the pending claims, is respectfully traversed for the following reasons.

Applicants respectfully submit that independent claim 1 has been amended to recite that the first and second frame components are futon frame components. As clearly illustrated in Glassford et al., the frame components relied upon by the Examiner are drawer components, not futon frame components. Accordingly, Applicants respectfully submit that independent claim 1 is allowable for at least this reason over Glassford, et al.

Applicants further respectfully submit that dependent claims 2-7 are allowable by virtue of their dependency on allowable independent claim 1, for at least the reasons set forth above. Applicants respectfully submit that independent claim 8 is also allowable over Glassford, et al., as well as dependent claims 9-14, dependent thereon.

Applicants respectfully submit that dependent claims 2-7 and 9-14 further emphasize the “drop-in” nature of the track of the present invention. As is clearly recited in dependent claims 2-7 and 9-14, the at least one protrusion may be placed or dropped on an open track, where the open track is open in the direction of the drop-in, the at least one protrusion rests on the top of the open track, or the top of the open track is exposed to allow the at least one protrusion to be placed thereon. Applicants respectfully submit that this is distinguishable from a track which includes an upper portion, which prevents or impedes the protrusion from

being lowered, dropped or placed on the open track from above. Applicants respectfully submit that dependent claims 2-7 and 9-14 are allowable for at least this additional reason.

CONCLUSION

In view of the above amendments and remarks, reconsideration of the rejection and allowance of claims 1-14 is respectfully requested.

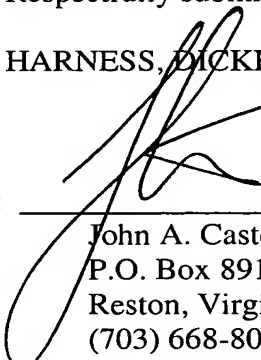
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John A. Castellano at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By: _____


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